

**ELECTRONICALLY FILED  
OCTOBER 12, 2007**

STUTMAN, TREISTER & GLATT, P.C.  
FRANK A. MEROLA  
(CA State Bar No. 136934)  
EVE H. KARASIK  
(CA State Bar No. 155356)  
CHRISTINE M. PAJAK  
(CA State Bar No. 217173)  
1901 Avenue of the Stars, 12<sup>th</sup> Floor  
Los Angeles, CA 90067  
Telephone: (310) 228-5600  
E-mail: [fmerola@stutman.com](mailto:fmerola@stutman.com)  
[ekarasik@stutman.com](mailto:ekarasik@stutman.com)  
[cpajak@stutman.com](mailto:cpajak@stutman.com)

SHEA & CARLYON, LTD.  
JAMES PATRICK SHEA  
(Nevada State Bar No. 000405)  
CANDACE C. CARLYON  
(Nevada State Bar No. 002666)  
SHLOMO S. SHERMAN  
(Nevada State Bar No. 009688)  
701 Bridger Avenue, Suite 850  
Las Vegas, Nevada 89101  
Telephone: (702) 471-7432  
E-mail: [jshea@sheacarlyon.com](mailto:jshea@sheacarlyon.com)  
[ccarlyon@sheacarlyon.com](mailto:ccarlyon@sheacarlyon.com)  
[ssherman@sheacarlyon.com](mailto:ssherman@sheacarlyon.com)

*Counsel for the Official Committee of Equity Security Holders of  
USA Capital First Trust Deed Fund, LLC*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re: ) BK-S-06-10725-LBR  
USA COMMERCIAL MORTGAGE COMPANY ) Chapter 11  
Debtor )

In re: ) BK-S-06-10726-LBR  
USA CAPITAL REALTY ADVISORS, LLC, ) Chapter 11  
Debtor )

In re: ) BK-S-06-10727-LBR  
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC, ) Chapter 11  
Debtor )

In re: ) BK-S-06-10728-LBR  
USA CAPITAL FIRST TRUST DEED FUND, LLC, ) Chapter 11  
Debtor. )

In re: ) BK-S-06-10729-LBR  
USA SECURITIES, LLC, ) Chapter 11  
Debtor. )

Affects )

☐ All Debtors )

☐ USA Commercial Mortgage Co. )

☐ USA Securities, LLC )

☐ USA Capital Realty Advisors, LLC )

☐ USA Capital Diversified Trust Deed )

☒ USA Capital First Trust Deed Fund, LLC )

DATE: September 28, 2007

TIME: 1:30 p.m.

**CERTIFICATE OF SERVICE OF NOTICE OF ENTRY OF ORDER RE STIPULATION RE  
ALLOWANCE OF INFORMAL PROOF OF CLAIM AND WITHDRAWAL OF DUPLICATE  
CLAIM**

I HEREBY CERTIFY that I served the following documents:

Notice of Entry of Order re Stipulation re Allowance of Informal Proof of Claim and  
Withdrawal of Duplicate Claim

1 I served the above named document(s) by the following means to the persons as listed  
2 below:

3 ☒ a. Via the ECF System on the 9<sup>th</sup> day of October, 2007 (see attached  
4 Notices of Electronic Filing).

5 ☒ b. United States mail, postage fully prepaid on the 12<sup>th</sup> day of October,  
6 2007, to the following:

7  
8 Labossiere Family Trust Dated 3/20/1987,  
9 Gerard and Lucille Labossiere Trustees  
10 635 Jessica Drive  
11 Mesquite, NV 89027.

12 ☐ c. Personal service.

13 I personally delivered the documents to the persons at these addresses:

14 ☐ For a party represented by an attorney, delivery was made by handing the  
15 document(s) at the attorney's office with a clerk or other person in charge,  
16 or if no one is in charge, by leaving the document(s) in a conspicuous  
17 place in the office.

18 ☐ For a party, delivery was made by handing the document(s) to the party  
19 or by leaving the document(s) at the person's dwelling house or usual  
20 place of abode with someone of suitable age and discretion residing  
21 there.

22 ☐ d. By direct email.

23 Based upon the written agreement of the parties to accept service by email or  
24 a court order, I caused the document(s) to be sent to the persons at the email  
25 addresses listed below. I did not receive, within a reasonable time after the  
26 transmission, any electronic message or other indication that the transmission  
27 was unsuccessful.

28 ☐ e. By fax transmission.

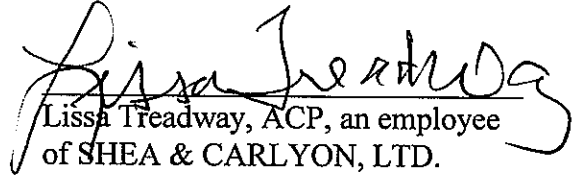
Based upon the written agreement of the parties to accept serve by fax  
transmission or a court order, I faxed the document(s) to the persons at the  
fax numbers listed below. No error was reported by the fax machine that I  
used. A copy of the record of the fax transmission is attached.

☐ f. By messenger.

1 I served the document(s) by placing them in an envelope or package  
2 addressed to the persons at the addresses listed below and providing them to  
3 a messenger for service.

4 I declare under penalty of perjury that the foregoing is true and correct.

5 DATED this 12<sup>th</sup> day of October, 2007.

6   
7 Lissa Treadway, ACP, an employee  
8 of SHEA & CARLYON, LTD.

**File a Notice:**

06-10725-lbr USA COMMERCIAL MORTGAGE COMPANY

**U.S. Bankruptcy Court**

**District of Nevada**

**Notice of Electronic Filing**

The following transaction was received from SHERMAN, SHLOMO S. entered on 10/9/2007 at 6:52 PM PDT and filed on 10/9/2007

**Case Name:** USA COMMERCIAL MORTGAGE COMPANY

**Case Number:** 06-10725-lbr

**Document Number:** 4957

**Docket Text:**

Notice of Entry of Order Filed by SHLOMO S. SHERMAN on behalf of OFFICIAL COMMITTEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC (Related document(s)[4896] Order Re: Objection to Claim, ) (SHERMAN, SHLOMO)

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**Z:\USA Investors Committee #1500\Electronic Filing\noe labossiere stip.pdf

**Electronic document Stamp:**

[STAMP bkecfStamp\_ID=989277954 [Date=10/9/2007] [FileNumber=8709167-0]

[81ec45ea433a1078e5033ed0327283be2fec06a5f4c0f1f4edbb32fc9e11bd11366f

374367f683131e08c14ed00943f79eb507308e6d3c34d840bbece5156ea0]]

**06-10725-lbr Notice will be electronically mailed to:**

MICHELLE L. ABRAMS mabrams@mabramslaw.com

FRANKLIN C. ADAMS franklin.adams@bbklaw.com, arthur.johnston@bbklaw.com

NANCY L ALLF nallf@parsonsbehle.com, karen\_lawrence@gshllp.com

NANCY L ALLF nancy\_allf@gshllp.com, karen\_lawrence@gshllp.com

FRANK A. ANDERSON anderson.frank@pbgc.gov, efile@pbgc.gov

PETER C. BERNHARD peter.bernhard@bullivant.com, michelle.diegel@bullivant.com

BMC GROUP, INC. evrato@bmcgroup.com,  
ecf@bmcgroup.com;jmiller@bmcgroup.com;mjohn@bmcgroup.com

GEORGANNE W. BRADLEY georganne.bradley@bullivant.com, mary.opatrny@bullivant.com

KELLY J. BRINKMAN kbrinkman@gouldpatterson.com

THOMAS R. BROOKSBANK tom@tombrooksbank.com, renee@tombrooksbank.com

ANDREW M. BRUMBY abrumby@shutts-law.com, rhicks@shutts-law.com;lmackson@shutts-law.com

LOUIS M. BUBALA lbubala@jonesvargas.com, tbw@jonesvargas.com;aanthony@jonesvargas.com

MATTHEW Q. CALLISTER mqc@callister-reynolds.com, maggie@callister-reynolds.com;jrammos@callister-reynolds.com

CANDACE C CARLYON ltreadway@sheacarlyon.com, ccarlyon@sheacarlyon.com;bankruptcyfilings@sheacarlyon.com

MICHAEL W. CARMEL michael@mcarmellaw.com, nancy@mcarmellaw.com;ritkin@steptoe.com

ROB CHARLES rcharles@lrlaw.com, cjordan@lrlaw.com

MICHAEL W. CHEN yvette@ccfirm.com

KEVIN B. CHRISTENSEN kbchrislaw@aol.com

JANET L. CHUBB tbw@jonesvargas.com

JANET L. CHUBB tbw@jonesvargas.com

WILLIAM D COPE cope\_guerra@yahoo.com

LAUREL E. DAVIS ldavis@fclaw.com, mhurtado@fclaw.com

THOMAS W. DAVIS tdavis@hwmlvlaw.com, wendim@hwmlvlaw.com

DEBT ACQUISITION COMPANY OF AMERICA V, LLC (aw) awhatnall@daca4.com

J CRAIG DEMETRAS JCD@demetras-oneill.com, jar@demetras-oneill.com;mdh@demetras-oneill.com

RICHARD I. DREITZER rdreitzer@yahoo.com

THOMAS H. FELL  
BANKRUPTCYNOTICES@GORDONSILVER.COM;bknotices@gordonsilver.com

SCOTT D. FLEMING sfleming@halelane.com, dbergsing@halelane.com

GREGORY E GARMAN bankruptcynotices@gordonsilver.com, bknotices@gordonsilver.com

DOUGLAS D. GERRARD DGERRARD@GERRARD-COX.COM, ekaymedellin@gerrard-cox.com

WADE B. GOCHNOUR wgochnour@hwmlvlaw.com, donnat@hwmlvlaw.com

CARLOS A. GONZALEZ carlos.gonzalez2@usdoj.gov,  
Darlene.Ruckard@usdoj.gov;Mary.Booker@usdoj.gov

GERALD M GORDON bankruptcynotices@gordonsilver.com, bknotices@gordonsilver.com

R. VAUGHN GOURLEY vgourley@lvcm.com

TALITHA B. GRAY bankruptcynotices@gordonsilver.com;bknotices@gordonsilver.com

JAMES D. GREENE bknotice@bhfs.com

MARJORIE A. GUYMON bankruptcy@goldguylaw.com,  
ddias@goldguylaw.com;angelenal@goldguylaw.com

PETER W. GUYON pguyon@yahoo.com

JEFFREY R. HALL jhall@sheacarlyon.com, jhall@hutchlegal.com

XANNA R. HARDMAN xanna.hardman@gmail.com

STEPHEN R HARRIS noticesbh&p@renolaw.biz

JEFFREY L HARTMAN notices@bankruptcyreno.com, dle@bankruptcyreno.com

BRIGID M. HIGGINS bankruptcynotices@gordonsilver.com, bknotices@gordonsilver.com

RICHARD F. HOLLEY rholley@nevadafirm.com,  
paltstatt@nevadafirm.com;vnelson@nevadafirm.com;sliberio@nevadafirm.com;bkecf@nevadafirm.com

RANDOLPH L. HOWARD rhoward@klnevada.com,  
ckishi@klnevada.com;bankruptcy@klnevada.com

DAVID W. HUSTON dwh@hustonlaw.net, swaits@hustonlaw.net

JASON A. IMES bkfilings@s-mlaw.com

ROBBIN L. ITKIN ritkin@steptoe.com,  
sgottlieb@steptoe.com;skopman@steptoe.com;keckert@steptoe.com;jgoldman@steptoe.com;kpiper@st

CHRISTOPHER D JAIME cjaime@waltherkey.com, kbernhar@waltherkey.com

EVAN L. JAMES ejameslv@embarqmail.com, kbchrislaw@aol.com

ANNETTE W JARVIS ajarvis@rqn.com

ERIN E. JONES ejones@diamondmccarthy.com, cburrow@diamondmccarthy.com

TY E. KEHOE TyKehoeLaw@aol.com

ROBERT R. KINAS rkinas@swlaw.com,  
jmcbee@swlaw.com;jmath@swlaw.com;mfull@swlaw.com;cdossier@swlaw.com;lvdocket@mindsprin

DEAN T. KIRBY dkirby@kirbymac.com, jhebert@kirbymac.com; lackerman@kirbymac.com  
ZACHARIAH LARSON ecf@lslawnv.com, susans@lslawnv.com  
JOHN J. LAXAGUE jlaxague@canecclark.com  
GEORGE C LAZAR glazar@foxjohns.com, gclazar@sbcglobal.net  
NILE LEATHAM nleatham@klnevada.com, ckishi@klnevada.com; bankruptcy@klnevada.com  
ROBERT C. LEPOME rlepome@cox.net, smstanton@cox.net  
TYSON M. LOMAZOW tlomazow@milbank.com  
ANNE M. LORADITCH ecffilings@LRLaw.com, aloraditch@LRLaw.com; pkois@LRLaw.com  
ERIC D MADDEN emadden@diamondmccarthy.com, jsickels@diamondmccarthy.com  
PATRICIA A. MARR lvlaw03@yahoo.com  
JAMES C. MCCARROLL , dturetsky@reedsmith.com; aleonard@reedsmith.com  
REGINA M. MCCONNELL rmccconnell@kssattorneys.com  
WILLIAM L. MCGIMSEY lawoffices601@lvcoxmail.com  
RICHARD MCKNIGHT mcknightlaw@cox.net,  
gkopang@lawlasvegas.com; cburke@lawlasvegas.com  
JEANETTE E. MCPHERSON bkfilings@s-mlaw.com; info@s-mlaw.com  
JEANETTE E. MCPHERSON bkfilings@s-mlaw.com; info@s-mlaw.com  
SHAWN W MILLER bankruptcyfilings@sheacarlyon.com,  
smiller@sheacarlyon.com; ltreadway@sheacarlyon.com; mleavitt@sheacarlyon.com  
DAVID MINCIN mcknightlaw@cox.net,  
gkopang@lawlasvegas.com; dmincin@lawlasvegas.com; cburke@lawlasvegas.com  
JOHN F MURTHA jmurtha@woodburnandwedge.com  
ERVEN T. NELSON erv@rlbolick.com, susan@rlbolick.com; erin@rlbolick.com  
JOHN F. O'REILLY jor@oreillylawgroup.com,  
tor@oreillylawgroup.com; bc@oreillylawgroup.com; mg@oreillylawgroup.com; lc@oreillylawgroup.com  
TIMOTHY R. O'REILLY tor@oreillylawgroup.com,  
jor@oreillylawgroup.com; bc@oreillylawgroup.com; mg@oreillylawgroup.com; lc@oreillylawgroup.com  
BOB L. OLSON ecffilings@beckleylaw.com, bolson@beckleylaw.com; dgriffis@beckleylaw.com



DONNA M. OSBORN ebaker@marquisaurbach.com,  
dosborn@marquisaurbach.com;tszostek@marquisaurbach.com;kgallegos@MarquisAurbach.com

CHRISTINE M PAJAK cpajak@stutman.com, ekarasik@stutman.com

ANDREW M. PARLEN aparlen@stutman.com

DONALD T. POLEDNAK sandplegal@yahoo.com, spbankruptcy@yahoo.com

PAUL C RAY info@johnpeterlee.com

THOMAS RICE trice@coxsmith.com,  
ggattis@coxsmith.com;jbrown@coxsmith.com;dwilliamson@coxsmith.com

GORDON C. RICHARDS gcrclarkandrichards@earthlink.net, sebclarkandrichards@earthlink.net

CHRISTINE A ROBERTS bankruptcy@rocgd.com

STACY M. ROCHELEAU stacy@arlawgroup.com, wendy@arlawgroup.com

SUSAN WILLIAMS SCANN sscann@deanerlaw.com, palexander@deanerlaw.com

LENARD E. SCHWARTZER bkfilings@s-mlaw.com

BRIAN D. SHAPIRO ecf@brianshapirolaw.com,  
tiffany@brianshapirolaw.com;brianshapiroesq@yahoo.com;bshapiro@brianshapirolaw.com

JAMES PATRICK SHEA bankruptcyfilings@sheacarlyon.com,  
ltreadway@sheacarlyon.com;jshea@sheacarlyon.com

SHLOMO S. SHERMAN ssherman@sheacarlyon.com,  
bankruptcyfilings@sheacarlyon.com;ltreadway@sheacarlyon.com;rsmith@sheacarlyon.com;mleavitt@

AMBRISH S. SIDHU ecfnofices@sidhulawfirm.com

JEFFREY G. SLOANE gjklepel@yahoo.com, rmconnell@kssattorneys.com

ALAN R SMITH mail@asmithlaw.com,  
turk@asmithlaw.com;marsh@asmithlaw.com;darby@asmithlaw.com

ADAM M. STARR starra@gtlaw.com

DAVID A. STEPHENS dstephens@lvcm.com

PETER SUSI cheryl@msmlaw.com, msm@msmlaw.com

ERIC W. SWANIS swanise@gtlaw.com,  
barberc@gtlaw.com;lengemannc@gtlaw.com;boodtb@gtlaw.com;dittrichr@gtlaw.com;driverv@gtlaw.c

JEFFREY R. SYLVESTER jeff@sylvesterpolednak.com



KAARAN E. THOMAS kthomas@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

ROLLIN G. THORLEY rollin.g.thorley@irsounsel.treas.gov

U.S. TRUSTEE - LV - 11 USTPRegion17.lv.ecf@usdoj.gov

ERIC VAN bankruptcynotices@gordonsilver.com, bknotices@gordonsilver.com

GREGORY J. WALCH GWalch@Nevadafirm.com

RUSSELL S. WALKER rwalker@wklawpc.com,  
eloveridge@wklawpc.com;ckirk@wklawpc.com;tgrover@wklawpc.com

WHITNEY B. WARNICK wbw@albrightstoddard.com, bstessel@albrightstoddard.com

GREGORY L. WILDE bk@wildelaw.com

RYAN J. WORKS rworks@mcdonaldcarano.com,  
kbarrett@mcdonaldcarano.com;dsampson@mcdonaldcarano.com;aguenther@mcdonaldcarano.com;hvei

MATTHEW C. ZIRZOW bankruptcynotices@gordonsilver.com, bknotices@gordonsilver.com

**06-10725-lbr Notice will not be electronically mailed to:**

CELSO ACOSTA

,

ANTHONY G. ADAMS

,

THOMAS J. ALLISON

,

ANDREW K ALPER  
6500 WILSHIRE BLVD 17TH FLR  
LOS ANGELES, CA 90048

ALVAREZ & MARSAL, LLC

,

ARNOLD R. ALVES  
9904 VILLA GRANITO LANE  
GRANITE BAY, CA 95746

AMERICAN EXPRESS BANK FSB  
PO BOX 3001  
MALVERN, PA 19355-0701

ANGELO GORDON & CO  
C/O JED HART